

United States District Court
Eastern District of Michigan

United States of America

v.

Ahmad Duckett /
 Defendant

ORDER OF DETENTION PENDING TRIAL

Case Number: 05-80617

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact

T (1) I find that:

- T** there is probable cause to believe that the defendant has committed an offense
- T** for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or 846;
- "** under 18 U.S.C. § 924(c).

T (2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

T I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear.

T I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

Part II – Written Statement of Reasons for Detention

T I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

- T** (a) nature of the offense - Large scale drug distribution over an extended time period.
- T** (b) weight of the evidence - Indictment establishes probable cause.
- T** (c) history and characteristics of the defendant
 - T** 1) physical and mental condition - Chronic drug abuser; otherwise good health.
 - T** 2) employment, financial, family ties - No job or legitimate income; has family ties..
 - T** 3) criminal history and record of appearance - 21 prior failures to appear; 2 current warrants.
- T** (d) probation, parole or bond at time of the alleged offense - On bond for three offenses, including felony fleeing police in a motor vehicle.
- T** (e) danger to another person or community - Felony assault conviction, currently charged with felony fleeing in motor vehicle.

Although he surrendered on the instant charges, this defendant has the worst record of non-appearance I have ever seen. He faces 10 years to life upon conviction. Pretrial Services recommends detention. I fully agree. This defendant is a clear flight risk.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

s/Donald A. Scheer

Date: January 23, 2007

Signature of Judge

Donald A. Scheer, United States Magistrate Judge

Name and Title of Judge